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ATTORNEY DOCKET NO.: 044921-5038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Donna MENDRICK *et al.*

Application No.: 09/917,800

Filed: July 31, 2001

For: **MOLECULAR TOXICOLOGY  
MODELING**

Group Art Unit: 1645

Examiner: Unassigned

Commissioner of Patents  
**BOX MISSING PARTS**  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed December 3, 2001.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

4. Small Entity Status

- ☐ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

## 5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input type="checkbox"/> five months	\$1,960.00	\$980.00

Extension of time fee due with this request: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicants believe that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicants hereby petition for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

## 6. Assignment

- ☐ An assignment of the invention to \_\_\_\_\_ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

## 7. Fee Calculation

Fee Calculation				Fee Code	
Basic Fee				\$740.00	101/201
	Number Filed	Number Extra	at a Rate of (Lg./Sm.Entity)		
Total Claims	155 - 20 =	135	\$18/\$9 each=	\$2430.00	103/203
Independent Claims	9 - 3 =	6	\$84/\$42 each=	\$504.00	101/202
Multiple dependent claim(s), if any			\$280/\$140	\$280.00	104/204
SUB-TOTAL =				\$3954.00	
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65	\$130.00	105/205
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))		\$110/\$55 (1 Month)			115/215
		\$400/\$200 (2 Months)			116/216
		\$920/\$460 (3 Months)			117/217
		\$1440/\$720 (4 Months)			118/218
		\$1960/\$980 (5 Months)		\$	128/228
SUB-TOTAL =				\$4084.00	
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			\$130.00	\$	139
Assignment Recordation Fee			\$ 40.00	\$0.00	581
TOTAL FILING FEE =				\$4084.00	

## 8. Fee Payment

☒ Enclosed is a check for:

Filing Fee:	\$	740.00
Additional total claims		2,430.00
Independent claims		504.00
Multiple dependent claims		280.00
Surcharge for filing missing parts		<u>130.00</u>
Total amount:		4,084.00

☐ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

## 9. Additional papers enclosed.

- ☐ Preliminary Amendment
- ☐ Submission of Formal Drawings with 4 sheets of drawings containing 6 figures
- ☐ Claim for Priority
- ☐ Certified copy of priority document:
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_\_\_\_ references as listed
- ☐ Declaration of Biological Deposit
- ☒ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☒ Other: Statement Accompanying Sequence Listing and Diskette Containing Sequence Listing

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Michael S. Tuscan  
Reg. No. 43,210

Date: January 29, 2002

**CUSTOMER NO. 09629**

MORGAN, LEWIS &amp; BOCKIUS LLP

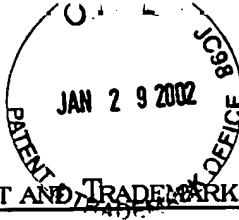
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/917,800	07/31/2001	Donna Mendrick	44921-5038

CONFIRMATION NO. 1108

## FORMALITIES LETTER



\*OC000000007147842\*

MORGAN, LEWIS & BOCKIUS LLP  
1800 M Street, N.W.  
Washington, DC 20036

Date Mailed: 12/03/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/31/2002 BABRAHA1 00000125 09917800

FILED UNDER 37 CFR 1.53(b)

01 FC:101 740.00 OP  
02 FC:105 130.00 OP  
03 FC:103 2430.00 OP  
04 FC:102 504.00 OP  
05 FC:104 280.00 OP

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$3180.
  - \$2430 for 135 total claims over 20.
  - \$480 for 6 independent claims over 3 .
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 4020.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE